

# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

**Vol. 538**

**Pretoria, 16 April 2010**

**No. 33102**

For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the Gazette numbers in the righthand column:

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**IMPORTANT ANNOUNCEMENT**

# Closing times **PRIOR TO PUBLIC HOLIDAYS** for GOVERNMENT NOTICES, GENERAL NOTICES, REGULATION NOTICES AND PROCLAMATIONS **2010**

The closing time is **15:00** sharp on the following days:

- ▶ **22 April**, Thursday, for the issue of Friday **30 April 2010**
- ▶ **10 June**, Thursday, for the issue of Friday **18 June 2010**
- ▶ **5 August**, Thursday, for the issue of Friday **13 August 2010**
- ▶ **16 September**, Thursday, for the issue of Thursday **23 September 2010**
- ▶ **23 September**, Thursday, for the issue of Friday **1 October 2010**
- ▶ **9 December**, Thursday, for the issue of Friday **17 December 2010**
- ▶ **15 December**, Wednesday, for the issue of Friday **24 December 2010**
- ▶ **21 December**, Tuesday, for the issue of Friday **31 December 2010**
- ▶ **30 December**, Thursday, for the issue of Friday **7 January 2011**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a **SEPARATE Government Gazette** must be handed in not later than three calendar weeks before date of publication

**BELANGRIKE AANKONDIGING**

# Sluitingstye **VOOR VAKANSIEDAE** vir GOEWERMENTS-, ALGEMENE- & REGULASIE- KENNISGEWINGS ASOOK PROKLAMASIES **2010**

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▶ **22 April**, Donderdag, vir die uitgawe van Vrydag **30 April 2010**
- ▶ **10 Junie**, Donderdag, vir die uitgawe van Vrydag **18 Junie 2010**
- ▶ **5 Augustus**, Donderdag, vir die uitgawe van Vrydag **13 Augustus 2010**
- ▶ **16 September**, Donderdag, vir die uitgawe van Donderdag **23 September 2010**
- ▶ **23 September**, Donderdag, vir die uitgawe van Vrydag **1 Oktober 2010**
- ▶ **9 Desember**, Donderdag, vir die uitgawe van Vrydag **17 Desember 2010**
- ▶ **15 Desember**, Woensdag, vir die uitgawe van Vrydag **24 Desember 2010**
- ▶ **21 Desember**, Dinsdag, vir die uitgawe van Vrydag **31 Desember 2010**
- ▶ **30 Desember**, Donderdag, vir die uitgawe van Vrydag **7 Januarie 2011**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n **APARTE Staatskoerant** verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

**GOVERNMENT NOTICES  
GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF HEALTH  
DEPARTEMENT VAN GESONDHEID**

**No. 284**

**16 April 2010**

**MEDICINES AND RELATED SUBSTANCES ACT, 1965 (ACT NO.101 OF 1965)**

**DECLARATION OF MEDICINE AS UNDESIRABLE (SECTION 23 OF ACT 101 OF  
1965)**

**WITHDRAWAL NOTICE**

The Medicines Control Council hereby withdraws item (d) of the Government Notice No. 1244, published in Government Gazette No. 31632 of 21 November 2008.



**MS M. HELA**

**REGISTRAR OF MEDICINES**

No. 285

16 April 2010

**COMPENSATION FOR OCCUPATIONAL DISEASES IN MINES AND WORKS ACT,  
1973 (ACT 73 OF 1973))****AMENDMENT OF AMOUNTS TO INCREASE BENEFITS****AMENDMENT NOTICE**

The following amendment to Government Notice No. R.1249 published on 28 December 2009, is hereby published for general information.

The abovementioned Notice is hereby amended by the addition of the following paragraphs immediately after paragraph (b) thereof:

- (c) 1 August 2009, being the date:
- (i) on which an examination to determine the presence, nature and degree of a compensable disease was conducted; or
  - (ii) the day on which the first of such examinations commenced, or
  - (iii) the day on which a post-mortem examination was partially or wholly conducted on the person who allegedly died of a compensable disease,



**DR A. MOTSOLEDI, MP**

**MINISTER OF HEALTH**

**DATE: 6/4/2010**

**SOUTH AFRICAN QUALIFICATIONS AUTHORITY  
SUID-AFRIKAANSE KWALIFIKASIE-OWERHEID**

No. 286

16 April 2010



**Announcement of Intention to Extend the Accreditation of the Safety and Security Sector  
Education and Training Authority (SASSETA)**

The South African Qualifications Authority (SAQA) hereby notifies the public that it intends to extend the accreditation of the **Safety and Security Sector Education and Training Authority (SASSETA)** to include the Learning Programmes in the listed areas of specialisation recorded against the following Qualification:

- Further Education and Training Certificate: Electronic Security Installation Practice ID 58697 Level 4

No	Area of Specialisation – Learning Programmes	ETQA	NQF Level	NLRD ID Number
1.	Further Education and Training Certificate: Alarm Installation	SASSETA	Level 4	74430
2.	Further Education and Training Certificate: Electronic Security Installation Practices: General	SASSETA	Level 4	74510

The accreditation will be effective for the duration of the Accreditation of the **Safety and Security Sector Education and Training Authority (SASSETA)** in terms of Section 2 (1) of the Education and Training Quality Assurance Regulations (SAQA Act No. 58 of 1995).

Objections to this extension of accreditation must be lodged with the Executive Officer of SAQA by the 16 May 2010.

**The Executive Officer**  
South African Qualifications Authority  
Postnet Suite 248  
Private Bag X06  
WATERKLOOF  
0145

Attention:  
Deputy Director:  
Telephone:  
Fax:  
E-mail:

**Ms Margaret Barretto**  
Quality Assurance and Development  
(012) 431 5139  
(012) 431 5145  
[mbarretto@saqa.org.za](mailto:mbarretto@saqa.org.za)

**JOE SAMUELS**  
DEPUTY EXECUTIVE OFFICER



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**GENERAL NOTICES  
ALGEMENE KENNISGEWINGS**

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**NOTICE 299 OF 2010**

**DEPARTMENT OF LABOUR  
LABOUR RELATIONS ACT, 1995  
REGISTRATION OF A TRADE UNION**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that **Lutheran Ministers' Union of Southern Africa (LUMUSA)** has been registered as a trade union with effect from.....6 April 2010.....

  
**REGISTRAR OF LABOUR RELATIONS**

**NOTICE 300 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/49/0/0/3  
 CLAIMANT : Tsitsikama Development Trust (TDT)  
 PROPERTY : Portion 1 of Farm 787  
 DISTRICT : Humansdorp / Cacadu  
 MEASURING : 102,9929 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 14/08/1997  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
 5200

Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 301 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1017/0/0/40  
 CLAIMANT : Ngunjini Community  
 PROPERTY : The remainder of farm 108  
 DISTRICT : Mzimkhulu  
 MEASURING : 1061,5845 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 29/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
 5200

Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 302 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1017/0/0/40  
 CLAIMANT : Ngunjini Community  
 PROPERTY : The remainder of farm 102  
 DISTRICT : Mzimkhulu  
 MEASURING : 123, 9734 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 29/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform  
 Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
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Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 303 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1017/0/0/3  
 CLAIMANT : Ndzimankulu Community  
 PROPERTY : The remainder of farm Driefontein NO. 158  
 DISTRICT : Mzimkhulu  
 MEASURING : 40,4697 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 29/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform  
 Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
 5200

Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 304 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1017/0/0/3  
 CLAIMANT : Ndzimankulu Community  
 PROPERTY : Portion 1 of farm Woodside NO. 166  
 DISTRICT : Mzimkhulu  
 MEASURING : 84,2544 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 29/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
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Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 305 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1017/0/0/3  
 CLAIMANT : Ndzimankulu Community  
 PROPERTY : Portion 1 of farm Ndzimankulu Forest  
 DISTRICT : Mzimkhulu  
 MEASURING : 191,5394 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 29/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
 5200

Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 306 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1017/0/0/3  
 CLAIMANT : Ndzimankulu Community  
 PROPERTY : Portion 2 of farm Ndzimankulu Forest  
 DISTRICT : Mzimkhulu  
 MEASURING : 48,7384 Hectares  
 DEED OF TRANSFER : N/A  
 DATE SUBMITTED : 29/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
 5200

Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 307 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/963/0/0/63  
 CLAIMANT : Vuyani Skhutshwa (On behalf of Bentsa Community)  
 PROPERTY : Qweqwe Location NO. 22 Umtata  
 DISTRICT : Umtata / OR Tambo  
 MEASURING : 175 Hectares  
 DEED OF TRANSFER : Unregistered  
 DATE SUBMITTED : 30/12/1998  
 BONDHOLDER :  
 CURRENT OWNER : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
 P O Box 1375  
 East London  
 5200

Tel No.: (043) 7006000  
 Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 308 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE	: 6/2/2/D/994/0/0/1
CLAIMANT	: Khanduvalo Matyeni
PROPERTY	: Mfikl Location NO. 10, Erf 172, Middledrift
DISTRICT	: Middledrift / Amathole
MEASURING	: 2339 Hectares
DEED OF TRANSFER	: Unregistered
DATE SUBMITTED	: 14/08/1998
BONDHOLDER	:
CURRENT OWNER	: Nkonkobe Local Municipality and Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
P O Box 1375  
East London  
5200

Tel No.: (043) 7006000  
Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 309 OF 2010****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE	: 6/2/2/D/1003/0/0/10
CLAIMANT	: Nkosinathi David Mkiva
PROPERTY	: Mkiva A/A Loc. NO.11 Nqamakwe
DISTRICT	: Nqamakwe / Amathole
MEASURING	: 2472 hectares
DEED OF TRANSFER	: Unregistered
DATE SUBMITTED	: 31/12/1998
BONDHOLDER	:
CURRENT OWNER	: Department of Rural Development & Land Reform

Has been submitted to the Regional Land Claims Commissioner for Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Eastern Cape  
P O Box 1375  
East London  
5200

Tel No.: (043) 7006000  
Fax No.: (043) 7433687

**L. Faleni**  
**REGIONAL LAND CLAIMS COMMISSIONER**

**NOTICE 310 OF 2010****INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF  
SOUTH AFRICA****SUNSET REVIEW OF THE ANTI-DUMPING DUTIES OF CLEAR DRAWN AND  
FLOAT GLASS ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S  
REPUBLIC OF CHINA (PRC) AND INDIA: FINAL DETERMINATION**

In accordance with the provisions in Article 11.3 of the World Trade Organisation Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, a definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury.

On 22 August 2008, the International Trade Administration Commission (ITAC) notified all interested parties, through **Notice No. 995 of 2008 in Government Gazette No. 31341**, that unless a duly substantiated request is made by or on behalf of the SACU industry, indicating that the expiry of the anti-dumping duties against the imports of clear drawn and float glass originating in or imported from the People's Republic of China (PRC) and India would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duty on clear drawn and float glass originating in or imported from the PRC and India will expire on 4 November 2009.

The sunset review investigation was initiated pursuant to Notice No. 1148 of 2009 in Government Gazette No. 32499, published on 21 August 2009. A correction Notice No. 1197 of 2009 in Government Gazette No. 32536 was published on 4 September 2009. Initiation letters to interested parties were sent on 7 September 2009. The due date for responses was 14 October 2009. A further correction Notice No. 1278 of 2009 in Government Gazette No. 32581 was published on 25 September 2009 and letters to interested parties were sent on 28 September 2009.

After considering all the information submitted by the Applicant, the Commission issued essential facts letters indicating that it was considering making a final determination that the expiry of the anti-dumping duties on clear drawn and float glass originating in or imported from the PRC and India would lead to the recurrence of dumping and to the recurrence of material injury.

After considering all the comments received from the Applicant to the Commission's essential facts letter, the Commission made a final determination that the expiry of the anti-dumping duties on clear drawn and float glass originating in or imported from the PRC and India would lead to the continuation and recurrence of dumping and to the recurrence of material injury.

The Commission, therefore, recommended to the Minister of Trade and Industry that the anti-dumping duties on clear drawn and float glass originating in or imported from the PRC and India be maintained and, in some instances, increased as follows:

Tariff heading	Description	Imported from or Originating in	Rate of Anti-Dumping Duties
7004.90	Drawn glass and blown glass, in sheets, whether or not having an absorbent or reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 6 mm (excluding optical glass).	India	587c/m <sup>2</sup>
7004.90	Drawn glass and blown glass, in sheets, whether or not having an absorbent or reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 6 mm (excluding optical glass).	China	562c/m <sup>2</sup>
7005.29	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding optical glass).	India	720c/m <sup>2</sup>
7005.29	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 6 mm (excluding optical glass).	China	802c/m <sup>2</sup>
7005.29	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding optical glass).	India	886c/m <sup>2</sup>
7005.29	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass).	India	1387c/m <sup>2</sup>



The Minister approved the Commission's recommendation. On 26 March 2010, the South African Revenue Services (SARS) published this recommendation pursuant to Notice No. R.219 of 2010 in *Government Gazette* No. 33042 to effect changes to the anti-dumping duties in the Customs and Excise Act.

This notice serves to confirm that the other anti-dumping duties on clear drawn and float glass originating in or imported from the PRC and India that were not specifically addressed in the publication by SARS, remains in force as from 26 March 2010.

The Commission's detailed reasons for its decision are set out in Commission Report No.325 (Final report).

Enquiries may be directed to the investigating officers **Ms. Selma Takacs** at telephone number +27 12 394 3996 or **Ms. Regina Peta** at telephone number +27 12 394 3737.

**NOTICE 311 OF 2010**

Department:  
Transport  
**REPUBLIC OF SOUTH AFRICA**

**CALL FOR NOMINATIONS  
TO SERVE ON THE BOARD OF THE CIVIL AVIATION AUTHORITY**

The Civil Aviation Authority is a national public entity established in terms of the South Civil Aviation Act No. 13 of 2009. Its mandate is to control and regulate civil aviation safety and security; oversee the implementation and compliance with the National Aviation Security Program; oversee the functioning and development of the civil aviation industry; promote civil aviation safety and security; develop and regulations that are required in terms of the Act; and monitor and ensure compliance with the Act and the International Aviation Conventions.

The Authority has a Board which in terms of the new CAA Act has to provide, amongst others, the strategic direction and oversee the corporate governance of the Authority in order to attain the mandate.

The members of the Board are part-time members, hold office for a period not exceeding three years and are accountable to the Minister of Transport.

In terms of the Act, the Minister of Transport is required to appoint seven members to the Board. Amongst the person that the Minister appoints shall be persons with suitable expertise in human resources management, representatives of the civil aviation industry with suitable financial and operational expertise, aviation law and a person with civil aviation acknowledged technical competencies involved in organized labour from the aviation industry.

The members of the Board shall be persons who are not in the full-time service of any organ of state or public entity as referred to in Schedule 2 and 3 of the Public Finance Management Act. A person is disqualified from being appointed to the Board if he or she is not a South African citizen.

The Minister of Transport hereby, in terms of section 77 (3) (a) of the Civil Aviation Act, 2009, invite interested parties to nominate persons suitable for appointment.

**Note:** Nominees must disclose to the Director-General: Transport particulars of all registrable financial and related interests.

Only nominations accompanied by motivation, the curriculum vitae of the nominee (which should include other board membership if any and the identity number) and signed letter of acceptance of nomination by the nominee will be considered.

The nomination must be forwarded to:, The Director-General, Department of Transport, Private Bag X193, Pretoria, 0001 For attention: Ms S Petse, Director: Governance. Telephone: (012) 309 3787, Fax (012) 309 3495, E-mail: [petses@dot.gov.za](mailto:petses@dot.gov.za). Closing date for nominations: Tuesday, 4 May 2010. Applications received after the closing date will not be considered.

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## BOARD NOTICES RAADSKENNISGEWINGS

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### BOARD NOTICE 50 OF 2010



### EXPOSURE DRAFT OF AMENDMENTS TO DIRECTIVE 5: DETERMINING THE GRAP REPORTING FRAMEWORK

**Issued: 15 April 2010**

The Accounting Standards Board (the Board) has approved for release an invitation to comment on the exposure draft of *Amendments to Directive 5*. Directive 5 has been amended to include a proposed reporting framework for Parliament for the reporting period commencing 1 April 2010 (ED 72).

As the exposure draft presents challenges for preparers, auditors and users of general purpose financial statements, the Board is grateful for the time respondents devote to considering the issues in the document. Any responses are a valuable input to the process of standard setting, and those who might be affected by, or are interested in the exposure draft issued by the Board are encouraged to provide responses on the document.

The comment period for the exposure draft ends on **30 April 2010**.

Copies of the exposure draft can be downloaded from the Board's website – <http://www.asb.co.za>, or can be obtained by contacting the Board's offices on:

- Tel: 011 697 0660, or
- Fax: 011 697 0666.

Comment can also be emailed to [info@asb.co.za](mailto:info@asb.co.za) or can be submitted in writing to:

Accounting Standards Board  
PO Box 74129  
Lynwood Ridge  
0040

On request, respondents can also present their comment to the project group verbally by contacting the Board's offices.

We look forward to receiving your comment.

## BOARD NOTICE 51 OF 2010



Physical address:  
Building 2  
Greenstone Hill Office Park  
Emerald Boulevard, Modderfontein

Postal Address:  
PO Box 751595  
Garden View, 2047

Tel: +27 87 940 8800  
Fax:  
Legal: +27 87 940 8873  
Practice Review: +27 87 940 8874  
Education: +27 87 940 8875  
Docex: 158, Johannesburg  
E-mail: board@irba.co.za  
Web: www.irba.co.za

## INDEPENDENT REGULATORY BOARD FOR AUDITORS


### AUDITING PROFESSION ACT, 2005 (ACT NO. 26 OF 2005)

#### SCHEDULE OF FEES AND CHARGES

Pursuant to the provisions of section 8 of Act No. 26 of 2005 the Independent Regulatory Board for Auditors (IRBA) publish for general information the following Schedule of Fees payable to the IRBA with effect from 1 April 2010:

		R
1.	Registration as an auditor	
1.1	Individual registration, payable on application for registration	R5 100.00
1.2	Proficiency interviews, payable on notification of interview (Application of the "Three-Year Rule")	R800.00
1.3	Administration fee for cancellation or withdrawal from 1.1 and 1.2 above	15% of the above fee/s
<b>Note:</b> No firm registration fees are payable and the above registration fee includes the first year annual fee.		
2.	The fees for annual renewal of registration are payable by an individual registered as an auditor and shall become due and payable on 1 April of every calendar year.	
2.1	Annual renewal of registration payable by any person as long as he/she remains registered as an auditor and has not reached the age of 65 years as at 1 April of the calendar year.	R2 800.00
2.2	Annual renewal of registration payable by any person as long as he/she remains registered as an auditor and is over the age of 65 years as at 1 April of the calendar year.	R1 400.00
3.	Once-off fees payable in respect of registration of training contracts on registration	
3.1	Three year training contract	R1 300.00
3.2	Four year training contract	R1 600.00
3.3	Five year training contract	R1 950.00

4.	<p>Inspection/Practice Review fees payable:</p> <p>4.1 Engagement review fees payable within 30 days of date of invoice Actual time spent carrying out the engagement review at a standard rate per hour, per reviewer</p> <p>4.2 Firm review fees payable within 30 days of date of invoice Total time spent on firm review and report at a standard rate per hour, per reviewer</p> <p>4.3 Cancellation fees payable within 30 days of date of invoice Total time as allocated for the review when scheduled, and as communicated to the reviewee at the time, at a standard rate per hour, per reviewer scheduled</p>	<p>R1 100.00</p> <p>R1 100.00</p> <p>R1 100.00</p>
5.	<p>5.1 Examination fee If application is received between 3 August 2010 and 2 October 2010</p> <p>5.2 Additional entrance fee in respect of late entries if application is received after 2 October 2010 but before 2 November 2010</p> <p>The fee is payable by 2 November 2010</p> <p>5.3 Administration fee for cancellation or withdrawal (Candidates who do not meet the examination requirements will not be charged an administration fee)</p>	<p>R1 650.00</p> <p>R605.00</p> <p>15% of the above fee/s</p>
6	<p>Accreditation fees for professional bodies</p> <p>6.1 Application fee Payable on application non refundable</p> <p>6.2 Evaluation fee (Up to a maximum of) Progress payments during process Should the professional body withdraw its application for accreditation, the IRBA will charge for recovery of costs incurred.</p> <p>6.3 Annual monitoring fee Payable annually</p>	<p>R27 500.00</p> <p>R880 000.00</p> <p>R302 500.00</p>



**Bernard Peter Agulhas**  
Chief Executive Officer  
Independent Regulatory Board for Auditors

**BOARD NOTICE 52 OF 2010****The South African Council for the  
Project and Construction Management Professions****Guideline Scope of Services and Recommended  
Guideline Tariff of Fees****For****Persons Registered in terms of the  
Project and Construction Management Professions Act, 2000****(Act No. 48 of 2000)**

The South African Council for the Project and Construction Management Professions has, under Section 34(2) of the Project and Construction Management Profession Act, 2000 (Act No. 48 of 2000) determined the guideline scope of services and tariff of fees in the Schedule.

Any amount mentioned in or fee calculated in terms of this Schedule is exclusive of Value Added Tax.

**The commencement date of these Rules shall be 1 January 2010**

**SCHEDULE****Guideline Scope of Services and Tariff of Fees  
for Registered Persons****Index**

<b>Heading</b>	<b>Sections</b>
<b>GENERAL PROVISIONS</b>	
1 DEFINITIONS	3
2 SHORT TITLE	4
<b>GUIDELINES SCOPE OF SERVICES</b>	
3 STANDARD SERVICES	5
4 ADDITIONAL/SUPPLEMENTARY SERVICES	12
5 COMMISSION TERMINATION	13
<b>RECOMMENDED GUIDELINES TARIFF OF FEES</b>	
6 APPLICATION OF TARIFF OF FEES	14
7 FEES FOR STANDARD SERVICES	15
8 SERVICES PROVIDED PARTIALLY OR IN STAGES	16
9 FEES FOR ADDITIONAL SERVICES	16
10 TIME BASED FEES	16
11 EXPENSES AND COSTS	18

## GENERAL PROVISIONS

### 1.0 DEFINITIONS

Where the words and phrases are highlighted in the text of this Tariff of Fees they shall bear the meaning assigned to them in clause 1 and where such words and phrases are not highlighted they shall bear the meaning consistent with the context:

**“Built Environment”** refers to the functional area in which registered persons practice. The Built Environment includes all structures that are planned and/or erected above or underground, as well as the land utilized for the purpose and supporting infrastructure.

**“Construction Management”** is the management of the *physical construction process* within the Built Environment and includes the co-ordination, administration, and management of resources. The Construction Manager is the one point of responsibility in this regard.

**“Construction Project Management”** is the management of projects within the Built Environment *from conception to completion, including management of related professional services*. The Construction Project Manager is the one point of responsibility in this regard.

**“Project”** means the total development envisaged by the client, including the professional services.

**“Works”** means all work executed or intended to be executed in accordance with the construction contracts.

**“Principal Agent”** means the person or entity appointed by the client and who has full authority and obligation to act in terms of the construction contracts.

**“Principal Consultant”** means the person or entity appointed by the client to manage and administer the services of all other consultants.

**“Cost Consultant”** means the person or entity appointed by the client to establish and agree all budgets and implement and manage the necessary cost control on the project.

**“Contractor”** means any person or legal entity entering into contract with the client for the execution of the **works** or part thereof.

**“Nominated Subcontractors”** are specialists and other subcontractors executing work or supplying and fixing any goods who may be nominated by the Principal Consultant.

**“Selected Subcontractors”** are specialists and other subcontractors executing work or supplying and fixing any goods and who are selected by the contractor in consultation with the Principal Consultant.

**“Domestic Subcontractors”** are specialists and other subcontractors executing work or supplying and fixing any goods and who are selected by the contractor.

**“Direct Contractors”** are contractors appointed by the client to execute work other than the works.

**“Suppliers”** mean a person or entity appointed by the client to supply goods and products for incorporating into the works.

**“Construction Programme”** is the programme for the works indicating the logic sequence and duration of all activities to be completed by the contractors, subcontractors, and suppliers, in appropriate detail, for the monitoring of progress of the works.

**“Contract programme”** is the construction programme for the works agreed between the contractor and the Principal Agent.



**“Procurement Programme”** is the programme indicating the timeous purchasing requirements for the project, including, but not limited to, the services of consultants, contractors, subcontractors, and suppliers required for the execution of the project programme.

**“Project Initiation programme”** is the programme devised by the Principal Consultant in consultation with the client and other consultants for all the work necessary to be completed prior to commencement of work by the contractors.

**“Documentation programme”** is schedule prepared by the Principal Consultant and agreed to by other consultants indicating the timeous provision of all necessary design documentation required by the contractors and subcontractors for the construction of the works.

**“The South African Council for the Project and Construction Management Professions”** means the South African Council for the Project and Construction Management Professions established by section 2 of the Project and Construction Management Professions Act, 2000 (Act No. 48 of 2000), and **“SACPCMP”** has the same meaning.

**“Project and Construction Management Professions Act”** means the Project and Construction Management Professions Act, 2000 (Act No. 48 of 2000).

**“Construction Project Management Work”** means the work identified under section 4 of this document

**“Construction Management Work”** means the work identified under section 4 of the Identification of Work document for Construction Managers

**“Improper Conduct”** as contemplated in section 27(3) of the Project and Construction Management Professions Act, means failure to comply with the code of conduct for registered persons.

**“Public”** means any person or group of persons who is, or whose environment is, either directly or indirectly affected by any project and construction management activity, or by a product, outcome or influence of a project and construction management activity, which may impact on the health, safety and interest of such person or group of persons.

**“Substantially Practise”** means regularly and consistently carry out project and construction management work identified in section 4 of this document, and charging a professional fee for such work and accruing professional responsibility to a client or an employer for the performance of such functions.

**“The Council”** means the Council for the Built Environment established under section 2 of the Council for the Built Environment Act, 2000 (Act No 43 of 2000)

## 2.0 SHORT TITLE

This Schedule is called *The Scope of Services and Recommended Guideline Tariff of Fees for Registered Construction Project Managers, Rev January 2010*.

## GUIDELINES SCOPE OF SERVICES

### 3.0 STANDARD SERVICES

Construction Project Managers shall perform the following standard services under the following stages:

PROJECT STAGES	DESCRIPTION
1	Inception
2	Concept and Viability
3	Design Development
4	Documentation and Procurement
5	Construction
6	Close-out

### 1.0 STAGE 1 – INCEPTION

#### **Definition**

Agreeing client requirements and preferences, assessing user needs and options, appointment of necessary consultants in establishing project brief, objectives, priorities, constraints, assumptions and strategies in consultation with the client.

#### **Standard Services**

- 1.1. Facilitate the development of a Clear Project Brief
- 1.2. Establish the client's Procurement Policy for the Project
- 1.3. Assist the client in the procurement of the necessary and appropriate consultants including the clear definition of their roles, responsibilities and liabilities.
- 1.4. Establish in conjunction with the client, consultants, and all relevant authorities the site characteristics necessary for the proper design and approval of the intended project

- 1.5. Manage the integration of the preliminary design to form the basis for the initial viability assessment of the project
- 1.6. Prepare, co-ordinate and monitor a Project Initiation Programme
- 1.7. Facilitate the preparation of the Preliminary Viability Assessment of the project
- 1.8. Facilitate client approval of all Stage 1 documentation

#### ***Project Management Deliverables***

- |  |
|--|
| <ul style="list-style-type: none"> <li>▪ Project Brief</li> <li>▪ Project Procurement Policy</li> <li>▪ Signed Consultant/Client Agreements</li> <li>▪ Project Initiation Programme</li> <li>▪ Record of all meetings</li> <li>▪ Approval by Client to proceed to Stage 2</li> </ul> |
|--|

## **2.0 STAGE 2 - CONCEPT AND VIABILITY**

### ***Definition***

<i>Finalization of the project concept and feasibility</i>
--

### ***Standard Services***

- 2.1. Assist the client in the procurement of the necessary and appropriate consultants including the clear definition of their roles, responsibilities and liabilities.
- 2.2. Advise the client on the requirement to appoint a Health and Safety Consultant
- 2.3. Communicate the project brief to the consultants and monitor the development of the Concept and Feasibility within the agreed brief
- 2.4. Co-ordinate and integrate the income stream requirements of the client into the concept design and feasibility
- 2.5. Agree the format and procedures for cost control and reporting by the cost consultants on the project.
- 2.6. Manage and monitor the preparation of the project costing by other consultants
- 2.7. Prepare and co-ordinate an Indicative Project Documentation and Construction Programme
- 2.8. Manage and integrate the concept and feasibility documentation for presentation to the client for approval
- 2.9. Facilitate client approval of all Stage 2 documentation

**Project Management Deliverables**

- Signed Consultant/Client Agreements
- Indicative Project Documentation and Construction Programme.
- Approval by Client to proceed to Stage 3

**3.0 STAGE 3 - DESIGN DEVELOPMENT****Definition**

*Manage, co-ordinate and integrate the detail design development process within the project scope, time, cost and quality parameters.*

**Standard Services**

- 3.1. Assist the client in the procurement of the balance of the consultants including the clear definition of their roles, responsibilities and liabilities.
- 3.2. Establish and co-ordinate the formal and informal communication structure, processes and procedures for the design development of the project.
- 3.3. Prepare, co-ordinate and agree a detailed Design and Documentation Programme, based on an updated Indicative Construction Programme, with all consultants
- 3.4. Manage, co-ordinate and integrate the design by the consultants in a sequence to suit the project design, documentation programme and quality requirements.
- 3.5. Conduct and record the appropriate planning, co-ordination and management meetings
- 3.6. Facilitate any input from the design consultants required by Construction Manager on constructability.
- 3.7. Facilitate any input from the design consultants required by Health and Safety consultant
- 3.8. Manage and monitor the timeous submission by the design team of all plans and documentation to obtain the necessary statutory approvals
- 3.9. Establish responsibilities and monitor the information flow between the design team, including the cost consultants.
- 3.10. Monitor the preparation by the cost consultants of cost estimates, budgets, and cost reports
- 3.11. Monitor the cost control by the cost consultants to verify progressive design compliance with approved budget, including necessary design reviews to achieve budget compliance
- 3.12. Facilitate and monitor the timeous technical co-ordination of the design by the design team
- 3.13. Facilitate client approval of all Stage 3 documentation

**Project Management Deliverables**

- Signed Consultant/Client Agreements
- Detailed Design & Documentation Programme
- Updated Indicative Construction Programme
- Record of all meetings
- Approval by Client to proceed to Stage 4

**4.0 STAGE 4 – DOCUMENTATION AND PROCUREMENT****Definition**

*The process of establishing and implementing procurement strategies and procedures, including the preparation of necessary documentation, for effective and timeous execution of the project.*

**Standard Services**

- 4.1. Select, recommend and agree the Procurement Strategy for contractors, subcontractors and suppliers with the client and consultants
- 4.2. Prepare and agree the Project Procurement Programme.
- 4.3. Co-ordinate and monitor the preparation of the tender documentation by the consultants in accordance with the Project Procurement Programme.
- 4.4. Facilitate and monitor the preparation by the Health and Safety Consultant of the Health and Safety Specification for the project
- 4.5. Manage the tender process in accordance with agreed procedures, including calling for tenders, adjudication of tenders, and recommendation of appropriate contractors for approval by the client.
- 4.6. Advise the client, in conjunction with other consultants on the appropriate insurances required for the implementation of the project.
- 4.7. Monitor the reconciliation by the cost consultants of the tender prices with the project budget
- 4.8. Agree the format and procedures for monitoring and control by the cost consultants of the cost of the works.
- 4.9. Facilitate client approval of the tender recommendation(s).

**Project Management Deliverables**

- Contractors, subcontractors, and suppliers Procurement Strategy
- Project Procurement Programme
- Project Tender/Contract Conditions
- Record of all meetings
- Approval by Client of tender recommendation(s).

**5.0 STAGE 5 – CONSTRUCTION****Definition**

*The management and administration of the construction contracts and processes, including the preparation and co-ordination of the necessary documentation to facilitate effective execution of the works.*

**Standard Services**

- 5.1. Appoint contractor(s) on behalf of the client including the finalization of all agreements.
- 5.2. Instruct the contractor on behalf of the client to appoint subcontractors.
- 5.3. Receive, co-ordinate, review and obtain approval of all contract documentation provided by the contractor, subcontractors, and suppliers for compliance with all of the contract requirements.
- 5.4. Monitor the ongoing projects insurance requirements.
- 5.5. Facilitate the handover of the site to the contractor.
- 5.6. Establish and co-ordinate the formal and informal communication structure and procedures for the construction process.
- 5.7. Regularly conduct and record the necessary site meetings
- 5.8. Monitor, review and approve the preparation of the Contract Programme by the contractor.
- 5.9. Regularly monitor the performance of the contractor against the Contract Programme.
- 5.10. Review and adjudicate circumstances and entitlements that may arise from any changes required to the Contract Programme.
- 5.11. Monitor the preparation of the contractor's Health and Safety Plan and approval thereof by the Health and Safety Consultant.
- 5.12. Monitor the auditing of the Contractors' Health and Safety Plan by the Health and Safety Consultant.
- 5.13. Monitor the compliance by the contractors of the requirements of the Health and Safety Consultant.
- 5.14. Monitor the production of the Health and Safety File by the Health and Safety Consultant and contractors
- 5.15. Monitor the preparation by the Environmental Consultants of the Environmental Management Plan
- 5.16. Establish the construction information distribution procedures.
- 5.17. Agree and monitor the Construction Documentation Schedule for timeous delivery of required information to the contractors.
- 5.18. Expedite, review and monitor the timeous issue of construction information to the contractors.

- 5.19. Manage the review and approval of all necessary shop details and product propriety information by the design consultants.
- 5.20. Establish procedures for monitoring, controlling and agreeing all scope and cost variations.
- 5.21. Agree the quality assurance procedures and monitor the implementation thereof by the consultants and contractors.
- 5.22. Monitor, review, approve and certify monthly progress payments.
- 5.23. Receive, review and adjudicate any contractual claims.
- 5.24. Monitor the preparation the preparation of monthly cost reports by the cost consultants.
- 5.25. Monitor long lead items and off-site production by the contractors and suppliers.
- 5.26. Prepare monthly project reports including submission to the client
- 5.27. Manage, co-ordinate and monitor all necessary testing and commissioning by consultants and contractors.
- 5.28. Co-ordinate, monitor and issue the Practical Completion Lists and the Certificate of Practical Completion.
- 5.29. Co-ordinate and monitor the preparation and issue of the Works Completion List by the consultants to the contractors.
- 5.30. Monitor the execution by the contractors of the defect items to achieve Works Completion.
- 5.31. Facilitate and co-ordinate adequate access with the occupant for the rectification of defects by the contractors

***Project Management Deliverables***

- Signed Contractor(s) Agreements
- Agreed Contract Programme
- Adjudication and award of contractual claims
- Construction Documentation Schedule
- Monthly progress payment certificates
- Monthly project progress reports.
- Record of all meetings
- Certificates of Practical Completion.

**6.0 STAGE 6 - CLOSE OUT****Definition**

*The process of managing and administering the project closeout, including preparation and co-ordination of the necessary documentation to facilitate the effective operation of the project*

**Standard Services**

- 6.1. Issue the Works Completion Certificate
- 6.2. Manage, co-ordinate and expedite the preparation by the design consultants of all as-built drawings and design documentation.
- 6.3. Manage and expedite the procurement of all operating and maintenance manuals as well as all warranties and guarantees.
- 6.4. Manage and expedite the procurement of all statutory compliance certificates and documentation.
- 6.5. Manage the finalization of the Health and Safety File for submission to the Client.
- 6.6. Co-ordinate, monitor and manage the rectification of defects during the Defects Liability Period.
- 6.7. Manage, co-ordinate and expedite the preparation and agreement of the final account by the cost consultants with the relevant contractors.
- 6.8. Co-ordinate, monitor and issue the Final Completion Defects list and Certificate of Final Completion.
- 6.9. Prepare and present Project Closeout Report.

**Project Management Deliverables**

- Works Completion Certificate
- Certificate of Final Completion
- Record of all meetings
- Project closeout report

**General Notes**

- As these stages might overlap, the Standard Services stated hereunder may be required to be undertaken during any one of the Project Work Stages
- The order of the Standard Services does not necessarily reflect the actual sequence of implementation



#### 4.0 ADDITIONAL/SUPPLEMENTARY SERVICES

- Development Management Services

The Project Construction Manager may, by prior mutual consent, provide the following supplementary services. This will require agreement of both the Client and Project Construction Manager on the adjustment of the fees and disbursements.

- .1 Facilitate the opportunity realisation process
- .2 Procuring of land and finance
- .3 Procuring of tenants, tenant co-ordination and tenant installations
- .4 Drafting of appointment contracts for other members of the professional team
- .5 Project management services in relation to direct contractors engaged by the client, such as those engaged for furniture, fittings and equipment
- .6 Mediation, arbitration proceedings and similar services. Such services will commence upon the notification of a dispute or the initiation of such proceedings
- .7 All work arising out of the failure of any consultant, contractors, suppliers or other external party to perform its obligations
- .8 Services required in respect of damage to or destruction of the works, insurance matters, postponement or cancellation of agreements
- .9 Additional services resulting from changes by the client to previously issued instructions
- .10 Any other services not specifically incorporated in the identified scope of services mentioned in this document

- Supplementary Services Pertaining to all Stages of the Project

The following services are additional to the normal services provided by the construction project manager, and shall be performed by agreement between the construction project manager and the client. The agreement on scope of additional services and remuneration shall be in writing and should, if at all possible, be concluded before such additional services are rendered

- .1 Appointment as agent in accordance with Regulation 4.(5) of the Construction Regulations 2003, issued in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), to specifically ensure compliance in terms thereof
- .2 Procuring of land and finance
- .3 Procuring of tenants, tenant co-ordination and tenant installations
- .4 Drafting of non-standard contracts
- .5 Project management services in relation to direct contractors engaged by the client, such as those engaged for furniture, fittings and equipment
- .6 Mediation, arbitration and litigation proceedings and similar services.
- .7 Where the client requires the construction project manager to, on his behalf, perform the services listed hereunder or similar work, the extent thereof and remuneration therefore is subject to agreement between the client and the construction project manager:

- i. Dealing with matters of law, obtaining parliamentary or other statutory approval, licenses or permits
  - ii. Assisting with or participating in contemplated or actual mediation, arbitration or litigation proceedings
  - iii. Officiating at or Attending courts and commissions of enquiry, select committees and similar bodies convened by statute, regulation or decree
- .8 All work arising out of failure of any consultant, contractor, supplier or other external party to perform its obligations, provided that such failure is not due to default by the Construction Project Manager
  - .9 Services resulting from damages to or destruction of the works, insurance matters, postponement or cancellation of agreement
  - .10 Additional services resulting from the client changing previously issued instructions
  - .11 Construction management
  - .12 Calculation and certification of professional fees applicable to other professionals engaged by the client on the project
  - .13 Any other services not specifically incorporated in this Guideline Scope of Services and Tariff of Fees for Registered Persons

#### 5.0 COMMISSION TERMINATION

- Should a commission be terminated the fee for the services completed shall be calculated in accordance with the Tariff of Fees and the fee for services partially completed shall be determined *pro rata* to the complete service
- Should a commission be terminated by the client after the commencement of the commission then, in addition to the fee calculated in accordance with 5.1, a surcharge of 10 percent shall be payable on the difference between the full fee calculated in accordance with the Tariff of Fees for the services commissioned and the fee calculated in accordance with 5.1.
- For purposes of 5.1 and 5.2, a commission shall be deemed to be terminated where the services are deferred or suspended for a period of more than 90 calendar days in the aggregate, unless otherwise agreed in writing by the parties.

## RECOMMENDED GUIDELINES TARIFF OF FEES

### 6.0 APPLICATION OF TARIFF OF FEES

- The guideline tariff of fees contained in this Schedule applies in respect of normal services
- The client should remunerate the construction project manager, for the normal services rendered, on the basis of clauses 6 to 9. In cases where the client and construction project manager have agreed that clauses 6 to 9 are not applicable, payment should be on the basis of clause 10 or as agreed according to clause 6(4)
- The client shall reimburse the construction project manager for all expenses and costs incurred in terms of clause 11 in performing his services, irrespective of whether fees are charged in terms of clauses 6 to 9, as well as for all costs incurred on behalf, and with the approval, of the client.
- Should the tariff of fees contained in this Schedule be found to be inappropriate to any project, works, services or part thereof, the client and construction project manager may agree, in writing, a fee deemed more appropriate, prior to the commencement of the works. Contributing factors to be taken into account, although not limited to, may include all or any of the following:
  - .1 *Complexity*: Where the works call for the application of new, unusual or untried techniques or designs or application of complex project delivery, systems or processes or excessive complexity of the whole or part of the works
  - .2 *Small projects*: Where projects are small in monetary value and the tariff of fees for normal projects does not compensate the construction project manager reasonably for the normal services to be rendered
  - .3 *Cost of the works*: Where the cost of the works is abnormally low relative to the normal services required from the construction project manager
  - .4 *Time duration*: Where the works are executed over an appreciably shorter or longer than normal or realistic time periods during any of the stages defined in clause 3, or where the client orders suspension of the services between stages for periods in excess of 21 calendar days in the aggregate for any stage.
  - .5 *Level of responsibility, liability and risk*: Where unusually high demands in respect of these factors are expected to be carried by the construction project manager
- Agreement on any adjustment of or special fees should be reached in writing at the time of the engagement of the construction project manager and be concluded prior to the construction project manager rendering services which may be affected.
- Where at the instance and with the consent of the client the works are undertaken on separate non-contiguous sites, continuity is interrupted or are unusually fragmented or are constructed as separately documented phases or sections, the fee for *normal services* is:
  - .1 the sum of the fees calculated separately for each site, contract, phase or section as if they were separate works; or
  - .2 the fee agreed to, in writing, between the client and the construction project manager, prior to the commencement of the works, and which fee lies between the fee calculated on the total cost of the works and the sum of the fees contemplated in clause 6(6)(1).

- The following fees may be claimed after each stage of services or monthly or as agreed between the construction project manager and the client:
  - .1 Percentage fees determined on the basis of the cost of the works prevailing at the time of the fee calculation and pro-rata to the completed normal services
  - .2 Time based fees as specifically agreed on in writing by the client, applicable when additional services were rendered
- Disbursements as set out in clause 11 may be claimed monthly

#### 7.0 FEES FOR STANDARD SERVICES

##### Construction project management services pertaining to building projects

The basic fee for normal services in the field of construction project management, pertaining to building projects, is calculated at the percentage mentioned against the cost of the works contained in following table:

Cost Bracket	From	To	Primary Fee	Plus Secondary	
				Add %	For Value Over
1	-	10,000,000		5.90%	0
2	10,000,000	20,000,000	590,000	4.43%	10,000,000
3	20,000,000	40,000,000	1,033,000	3.85%	20,000,000
4	40,000,000	80,000,000	1,803,000	3.36%	40,000,000
5	80,000,000	160,000,000	3,147,000	2.93%	80,000,000
6	160,000,000	320,000,000	5,491,000	2.56%	160,000,000
7	320,000,000	640,000,000	9,587,000	2.24%	320,000,000
8	640,000,000	1,280,000,000	16,755,000	1.95%	640,000,000
9	1,280,000,000	2,560,000,000	29,235,000	1.70%	1,280,000,000
10	2,560,000,000	And Above	50,995,000	1.48%	2,560,000,000

## 8.0 SERVICES PROVIDED PARTIALLY OR IN STAGES

The following table shall be used for proportioning the basic fee for standard services over the various stages of the services:

Project Stage	Description	Percentage of Total Fee
1	Initiation	10%
2	Concept and Viability	10%
3	Design Development	25%
4	Documentation and Procurement	10%
5	Construction	40%
6	Close Out	5%

## 9.0 FEES FOR ADDITIONAL/SUPPLEMENTARY SERVICES

The fees for additional/supplementary services contemplated in clause 4 are to be agreed to, in writing, between the client and the construction project manager, prior to the commencement of the works.

## 10.0 TIME BASED FEES

- Time based fees are all-inclusive fees, including allowances for overhead charges incurred by the construction project manager as part of normal business operations, including the cost of management, as well as payments to administrative, clerical and secretarial staff used to support professional and technical staff in general and not on a specific project only
- Time based fees are calculated by multiplying the hourly rate contemplated in clause 11, which is applicable to the construction project manager or any other person employed by the construction project manager, with the actual time spent by such person in rendering the services required by the client
- To determine the time based fee rates the persons concerned are divided into:-
  - .1 Category A, in respect of a private consulting practice in construction project management, shall mean a top practitioner whose expertise and relevant experience is nationally or internationally recognized and who provides advice at a level of specialization where such advice is recognized as that of an expert
  - .2 Category B, in respect of a private consulting practice in construction project management, shall mean a partner, a sole proprietor, a director, or a member who, jointly or severally with other partners, co-directors or co-members, bears the risks of the business, takes full responsibility for the liabilities of such practice, where level of expertise and relevant experience is commensurate with the position, performs work of a conceptual nature in project management
  - .3 Category C, in respect of a private consulting practice in construction project management, shall mean all salaried professional staff with adequate expertise and relevant experience performing project management work and who carry the direct responsibility for one or more specific activities related to a project

- .4 Category D, in respect of a private consulting practice in construction project management, shall mean all other salaried technical staff with adequate expertise and relevant experience performing project management work with direction and control provided by any person contemplated in categories A, B or C

The scale of fees on a time basis, on which Value Added Tax is excluded, shall be at the following rates per hour, rounded of to the nearest rand:

- i. for a person in category A and B: 18,75 cents for each R100,00 of the total annual remuneration package (lowest notch) attached to a Director's grading (level 13) in the Public Service
- ii. for a person in category C: 17,5 cents for each R100,00 of the total annual remuneration package (lowest notch) attached to a Deputy Director's grading (level 12) in the Public Service;
- iii. for a person in category D: 16,5 cents for each R100,00 of his/her total annual cost of employment; provided that this hourly rate shall not exceed 16,5 cents for each R100,00 of the total annual remuneration package (lowest notch) attached to a Assistant Director's grading (level 11) in the Public Service;
- iv. hourly rates calculated in terms of (i), (ii) and (iii) above shall be deemed to include overheads and charges in respect of time expended by clerical personnel which shall, therefore, not be chargeable separately;
- v. unless otherwise specifically agreed in writing, remuneration for the time expended by principals in terms of (i) above on a project shall be limited to 5 percent of the total time expended on the project. Any time expended by principals in excess of the 5 per cent limit shall be remunerated at the rates determined in (ii) or (iii) above

Notwithstanding (v) above, where work is of such a nature that personnel as described in paragraph (iii) above can do it, it shall be remunerated at that level and not at the rates described in paragraphs (i) and (ii) above irrespective of who actually did the work

The salaries referred to in (i) to (iii) above can change from time to time, which will, therefore, change the rates applicable. These rates will, however, only be adjusted on the first day of each calendar year irrespective of any changes during the year of these salaries. You may claim the rate as set out in Table 8 of the "Rates for Reimbursable Expenses", as amended from time to time

- The time based fee rates and any applicable annual increase to rates are to be agreed to by the parties at the start of the commission, failing which applicable reasonable market related or gazetted rates shall be applied
- For the purposes of clause 10.4, the total annual cost of employment of a person contemplated in clause 10.3 means the total amount borne by an employer in respect of the employment of such a person per year, calculated at the amounts applicable to such a person at the time of appointment of such staff to the project, including –
  - .1 Basic salary, or a nominal market related salary, excluding profit share and asset growth
  - .2 benefits not reflected in the basic salary, including:
    - i. normal annual bonus;
    - ii. contribution to medical aid;

- iii. group life insurance premiums borne by the employer;
  - iv. contribution to a pension or provident fund; and
  - v. all other benefits or allowances payable in terms of a letter of appointment, including any transportation allowance or company vehicle benefit, telephone and/or computer allowances, etc; and
- .3 Amounts payable in terms of a Act, including:
- i. contributions to the Compensation Fund in terms of the Compensation for Occupational Injuries and Diseases Act;
  - ii. contributions to unemployment insurance in terms of the Unemployment Insurance Fund Act; and
  - iii. recoverable levies to all spheres of government

#### 11.0 EXPENSES AND COSTS

- For disbursements and for reasonable travelling and subsistence expenses additional payment shall be claimed over and above the fee payable under any other provision of this Tariff of Fees
- Recoverable expenses include;
  - .1 Travelling expenses for the conveyance of the construction project manager or a member of the construction project manager's staff by means of:
    - i. private motor transport, including any parking charges, toll fees and related expenses;
    - ii. a scheduled air line or a train, bus, taxi or hired car; or
    - iii. non-scheduled or privately owned air transport
  - .2 Travelling time on the basis of the rate set out in clause 10, for all time spent in travelling by the construction project manager or members of his staff shall be as follows:
    - i. when fees are paid on a time basis, all hours spent on travelling are reimbursable
    - ii. when fees are paid on a percentage basis, reimbursement for travelling time shall be for all time spent in travelling minus the first hour per return journey
  - .3 Accommodation and subsistence expenses incurred by the construction project manager or a member of his staff;
  - .4 Agreed costs of typing, production, copying and binding of contract documents, pre-qualification documents, feasibility reports, preliminary design reports, final reports and manuals, excluding general correspondence, minor reports, contractual reports, progress reports, etc.
  - .5 Expenses on special reproductions, copying, printing, artwork, binding and photography, etc. requested by the client
  - .6 Alternatively, a lump sum or percentage of the total fees payable to the construction project manager may be determined and agreed between the construction project manager and the client to cater for all or any of the above

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## GENERAL NOTICE ALGEMENE KENNISGEWING

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### NOTICE 312 OF 2010

#### DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

#### PUBLICATION OF EXPLANATORY SUMMARY OF THE BLACK AUTHORITIES ACT REPEAL BILL, 2009

The Minister of Rural Development and Land Reform hereby gives notice in terms of Rule 241(1)(b) of the Rules of the National Assembly of Parliament that he intends to introduce the Black Authorities Act Repeal Bill, 2009 in the National Assembly in 2010 and, in accordance with Rule 241(1)(c) of such Rules, publishes an explanatory summary of the Bill.

The Bill seeks to repeal the entire Black Authorities Act, 1951 (Act No. 68 of 1951) ("the Act") which provides for the establishment of certain Black authorities and defines their functions.

The Act was a legislative cornerstone of apartheid by means of which Black people were controlled and dehumanized, and is reminiscent of past division and discrimination. The provisions of the Act are both obsolete and repugnant to the values and human rights enshrined in the Constitution.

The proposed repeal is also in line with the investigation and report of the South African Law Reform Commission on obsolete and redundant legislative provisions, which report was adopted by the Department of Justice and Constitutional Development.

Copies of the Bill and the Memorandum on the Objects of the Bill can be obtained from :

The Director-General : Rural Development and Land Reform  
**(for attention : Ms S Govender-Van Wyk)**  
Private Bag X833  
**PRETORIA**  
0001  
Tel : (012) 312 9600  
Fax : (012) 325 6184  
E-mail : [SGovendervanWyk@ruraldevelopment.gov.za](mailto:SGovendervanWyk@ruraldevelopment.gov.za)

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